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RC 4/28/11

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/982,845
Filing Date	October 22, 2001
First Named Inventor	Takaharu Kondo, et al.
Group Art Unit	2811
Examiner Name	Samuel A. Gebremariam
Attorney Docket Number	03500.015894 (35.C15894)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 04/26/2004 SZEWDIE1 00000028 09982845
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 770.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 770.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Damond E. Vadnais	Registration No. (Attorney/Agent)	52,310
Signature		Date	April 23, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

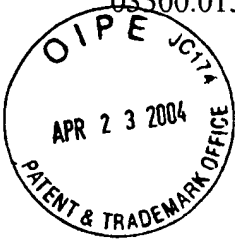
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

03500.015894 (35.C15894)

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: S. A. Gebremariam
Takaharu KONDO, et al.)	
	:	Group Art Unit: 2811
Application No.: 09/982,845)	
	:	
Filed: October 22, 2001)	
	:	
For: SILICON-BASED FILM AND)	
PHOTOVOLTAIC ELEMENT	:	April 23, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING REQUEST FOR CONTINUED EXAMINATION

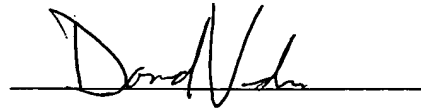
Sir:

The Office Action mailed January 23, 2004, in the above-identified application, is marked as "non-final" in the Office Action Summary. However, at page 5 of the Office Action, the Examiner indicates that the Office Action is final. Applicants contacted the Examiner regarding this matter, and the Examiner confirmed that the Office Action is final.

In view of the foregoing, the Request for Continued Examination (RCE) submitted herewith is believed to be proper, and entry of the accompanying Preliminary Amendment is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C.
office at (202) 530-1010. All correspondence should continue to be directed to our below-listed
address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Damond E. Vadnais", is written over a horizontal line.

Attorney for Applicants
Damond E. Vadnais
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

DEV/vc

DC_MAIN 164368v1



In re Application of

Docket No.: 03500.015894 (35.C15894)

Takaharu KONDO, et al.

Application No.: 09/982,845

Examiner: S. A. Gebremariam

Filed: October 22, 2001

Group Art Unit: 2811

For: SILICON-BASED FILM AND PHOTOVOLTAIC
ELEMENT

Date: April 23, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Preliminary Amendment in the above-identified application.

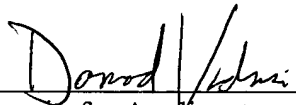
☒ No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	13	MINUS	20	= 0	x \$9 \$18	\$ 0.00
INDEP. CLAIMS	1	MINUS	3	= 0	x \$43 \$86	\$ 0.00
Fee for Multiple Dependent claims \$145°/\$290						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$ 0.00

- ☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$____ is enclosed.
- ☐ Charge \$____ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- ☐ A check in the amount of \$____ to cover the fee for a ____ month extension is enclosed.
- ☒ A check in the amount of \$ 770.00 to cover the Request for Continued Examination (RCE) fee is enclosed.
- ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Damond E. Vadnais
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
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New York, New York 10112-3800
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DEV/vc

DC_MAIN 164275v1



03500.015894 (35.C15894)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: S. A. Gebremariam
Takaharu KONDO, et al.)	
	:	Group Art Unit: 2811
Application No.: 09/982,845)	
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For: SILICON-BASED FILM AND)	
PHOTOVOLTAIC ELEMENT	:	April 23, 2004

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Commissioner for Patents
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Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Preliminary to examination and in response to the Office Action dated January 23, 2004, please amend the above-identified application, as follows: